

**SUMTER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY**

SUBJECT: Budget Amendment A-61 (FY 11/12) General Fund (Staff recommends approval).

REQUESTED ACTION: Approve Budget Amendment A-61

☐ Work Session (Report Only)

DATE OF MEETING: 6/26/2012

☒ Regular Meeting

☐ Special Meeting

CONTRACT: ☐ N/A

Vendor/Entity: _____

Effective Date: _____

Termination Date: _____

Managing Division / Dept: _____

Financial Services Department

BUDGET IMPACT: \$9,241

☐ Annual

FUNDING SOURCE:

General Fund - Reserve for Contingencies

☒ Capital

EXPENDITURE ACCOUNT:

General Fund - Interest Expense

☐ N/A

HISTORY/FACTS/ISSUES:

The purpose of this budget amendment is to fund the interest due under the Temporary Maintenance Agreement dated March 30, 2004 with The Villages of Lake-Sumter, Inc. (see attached).

Under the agreement, \$45,495.08 was put in escrow to be used should repairs and maintenance of roads or drainage systems be necessary during a two (2) year warranty period. The agreement called for the return of the escrowed amount plus interest at the end of the two years. The interest portion was not accrued or recorded and the funds and related interest were never paid to the developer. This amendment covers the interest portion due under the agreement.

FISCAL YEAR: 2011/12AMENDMENT #: A-61

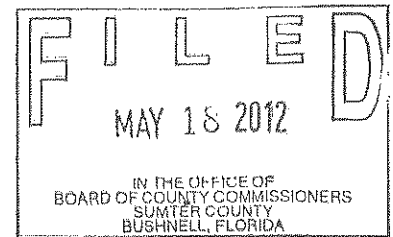
AGENDA DATE 6/26/2012

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| | | | | | | | | | |
|--------|--------|----|---|----|---|----|-------|----|-------|
| Totals | Totals | \$ | - | \$ | - | \$ | 9,241 | \$ | 9,241 |
|--------|--------|----|---|----|---|----|-------|----|-------|

Total Budget Change \$ 3,500

EXPLANATION: The purpose of this budget amendment is to fund the interest due under the Temporary Maintenance Agreement dated March 30, 2004 with The Villages of Lake-Sumter, Inc.



Accounting

1020 Lake Sumter Landing • The Villages, Florida 32162
352-753-6270 • FAX: 352-753-6253

May 9, 2012

Mr. Bradley Arnold
Sumter County Administrator
209 North Florida Street
Bushnell, FL 33513

Reference: Deposit with Sumter County in the Amount of \$45,495.08 for Road Improvement
Maintenance in The Villages Financial Center on CR 466

Dear Mr. Arnold,

The Villages of Lake-Sumter, Inc. ("The Villages") deposited \$45,495.08 with Sumter County in 2004 to guarantee maintenance of road improvements in The Villages Financial Center.

Our records do not indicate that this amount has ever been returned from Sumter County to The Villages. Please review your records and determine if this money is still owed to The Villages. I have attached our documentation of the deposit for your use in reviewing this matter.

Please contact me should you have any questions.

Very truly yours,

John F. Wise
Chief Financial Officer

JFW/lct
L0051

Copy To:

| | | | |
|---------|-------|----------------|-------|
| Commrs | _____ | Pub Wks Div | _____ |
| Co Atty | _____ | Bldg & Dev Div | _____ |
| Co Fin | _____ | Admin Div | _____ |
| Other | _____ | Com Svcs Div | _____ |

County

TEMPORARY MAINTENANCE AGREEMENT

THIS AGREEMENT made and entered into this 30th day of March, 2004, between Larry R. Brown, Leland Wayne Brown, and The Villages of Lake-Sumter, Inc., as developer of Villages Financial Center, a subdivision in Sumter County, Florida, hereinafter called DEVELOPER; and Sumter County, Florida, a political subdivision of the State of Florida, hereinafter called SUMTER COUNTY.

WHEREAS, DEVELOPER is the developer and owner of certain property located in Sumter County, Florida, which has been platted for a subdivision known as Villages Financial Center; and

WHEREAS, the streets and other improvements are dedicated to the public on the plat of Villages Financial Center; and

WHEREAS, one of the conditions for SUMTER COUNTY granting final approval of the plat of Villages Financial Center is for the DEVELOPER to guarantee the repairs and maintenance of the streets and other improvements located in the subdivision for a period of two (2) years from the date the construction of the roads and other improvements located within Villages Financial Center have been approved by SUMTER COUNTY.

NOW, THEREFORE, in consideration of the terms and conditions hereinafter set forth and the mutual covenants contained herein, the parties agree as follows:

1. This Temporary Maintenance Agreement is for a period of two (2) years beginning on the date the construction of the roads and other improvements located within Villages Financial Center have been approved by SUMTER COUNTY and automatically expiring two (2) years thereafter.
2. During the term of this agreement, the DEVELOPER shall be responsible for all repairs and maintenance required on the roads and other improvements located within Villages Financial Center.
3. Upon expiration of this agreement, DEVELOPER shall provide SUMTER COUNTY with "as-built" drawings of the roads located within Villages Financial Center and SUMTER COUNTY will inspect such roads and if SUMTER COUNTY approves the roads located within Villages Financial Center then such roads will be accepted into the system of SUMTER COUNTY maintained roads and DEVELOPER shall be released from any further obligations or responsibilities hereunder.
4. In accordance with Attachment "1" the parties hereby acknowledge the DEVELOPER'S cost to construct the roads and drainage systems in Villages Financial Center was FOUR HUNDRED FIFTY-FOUR THOUSAND NINE HUNDRED FIFTY AND 80/100 (\$454,950.80) DOLLARS. SUMTER COUNTY has agreed to accept the cash sum of FORTY FIVE THOUSAND FOUR HUNDRED NINETY-FIVE AND 08/100 (\$45,495.08) DOLLARS as and for the cost of maintaining and repairing the roads and other improvements located within Villages Financial Center should that become necessary during the two (2) year period.

SUMTER COUNTY, FLORIDA
GLORIA HAYWARD, CLERK OF CIRCUIT COURT

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5. The FORTY FIVE THOUSAND FOUR HUNDRED NINETY-FIVE AND 08/100 (\$45,495.08) DOLLARS shall be held in an interest bearing bank account with the interest accruing to The Villages of Lake-Sumter, Inc., its successor or assign, during the two (2) year time period. The DEVELOPER agrees to be responsible for paying income taxes, if any, on the interest earned.
6. During the said two (2) year term, if it is necessary for repairs or maintenance to be made to the streets or other improvements in the Villages Financial Center and DEVELOPER fail or refuse to make such repairs or maintenance, a signed statement from the Director of Planning and Public Services of Sumter County, or an authorized representative, shall be made to the DEVELOPER at 1100 Main Street, The Villages, Florida 32159 stating the reason for the repairs or maintenance, such as inferior materials or faulty workmanship, and the cost to repair or maintain same. Ten (10) days after such notice has been sent, if no objection has been received from the DEVELOPER, the funds including interest shall be withdrawn to pay for said repair or maintenance and SUMTER COUNTY shall make such repairs or maintenance with the withdrawn funds.
7. Upon expiration of the two (2) year period of time, the account established pursuant to the terms hereof shall be closed and all funds remaining therein, including accrued interest shall be paid to the DEVELOPER, or its successor or assign.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the 23 day of March, 2004.

WITNESSES:

Print Name

Print Name

WITNESSES:

Print Name

Print Name

Larry R. Brown


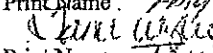
Leland Wayne Brown

SUMTER COUNTY, FLORIDA
GLORIA HAYWARD, CLERK OF CIRCUIT COURT

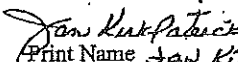
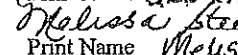
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REGULAR MEETING BOARD OF COUNTY COMMISSIONERS MARCH 30, 2004

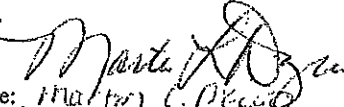
WITNESSES:


Print Name Amy C. Lewis

Print Name Tammy Wyle

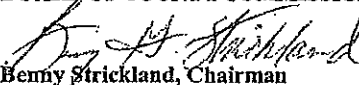
WITNESSES:


Print Name Jan Kirkpatrick

Print Name Melissa Steed

THE VILLAGES OF LAKE-SUMTER,
INC.

By: 
Name: Martin C. Pless
Title: Vice President

SUMTER COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS


Benny Strickland, Chairman

SUMTER COUNTY, FLORIDA
GLORIA HAYWARD, CLERK OF CIRCUIT COURT

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EXHIBIT - "A"

**SUMTER COUNTY MAINTENANCE BOND
FINANCIAL CENTER
THE VILLAGES OF SUMTER
DRAINAGE**

| SECTION I ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|-------------------|------------------------------|----------|------|------------|---------------------|
| 1 | 18" P.V.C. | 321 | L.F. | \$19.80 | \$6,355.80 |
| 2 | 24" P.V.C. | 596 | L.F. | \$26.50 | \$15,794.00 |
| 3 | 30" S.R.A.S.P. | 393 | L.F. | \$33.15 | \$13,027.95 |
| 4 | 36" S.R.A.S.P. | 138 | L.F. | \$41.35 | \$5,706.30 |
| 5 | 42" S.R.A.S.P. | 217 | L.F. | \$52.60 | \$11,414.20 |
| 6 | 48" S.R.A.S.P. | 273 | L.F. | \$62.70 | \$17,117.10 |
| 7 | 60" S.R.A.S.P. | 324 | L.F. | \$85.75 | \$27,783.00 |
| 8 | 66" S.R.A.S.P. | 400 | L.F. | \$101.00 | \$40,400.00 |
| 9 | 72" S.R.A.S.P. | 122 | L.F. | \$135.00 | \$16,470.00 |
| 10 | Type J-5 Inlet | 1 | EA. | \$3,850.00 | \$3,850.00 |
| 11 | Type P-5 Inlet | 7 | EA. | \$2,550.00 | \$17,850.00 |
| 12 | Type J-6 Inlet | 4 | EA. | \$4,550.00 | \$18,200.00 |
| 13 | Type P-6 Inlet | 10 | EA. | \$2,550.00 | \$25,500.00 |
| 14 | Storm Sewer Manhole Type "J" | 1 | EA. | \$5,100.00 | \$5,100.00 |
| TOTAL | | | | | \$224,568.35 |

SUMTER COUNTY, FLORIDA
GLORIA HAYWARD, CLERK OF CIRCUIT COURT

The Contractor's attention is directed to the enactment of the Florida Trench Safety Act which incorporates OSHA standards 29CFRs 1926.650, Subpart P, as the state's trench excavation safety standards. The Contractor shall list separately the cost of compliance with these standards on a linear footage basis and the method of compliance. The Contractor shall determine if special shoring requirements are needed. Special shoring shall be identified and priced on a square footage basis. The successful Contractor is fully responsible for the design of the trench safety system and the compliance with the applicable standards for the project.

The following costs are for information purposes only and no separate payment will be made for compliance with the Florida Trench Safety Act.

1. Trench Safety System - OSHA Compliance

6,000 LF \$ (UNIT PRICE) \$ (METHOD) (TOTAL PRICE)

2. Trench Safety Special Shoring Requirements (system & sq. ft. quantity to be identified by Contractor)

SF \$ (UNIT PRICE) \$ (METHOD) (TOTAL PRICE)

System to be used:

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REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS MARCH 30, 2004

EXHIBIT "A"

**SUMTER COUNTY MAINTENANCE BOND
FINANCIAL CENTER
THE VILLAGES OF SUMTER
ROADS**

| SECTION I ITEM | DESCRIPTION | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
|-------------------|---|----------|------|------------|---------------------|
| 1 | 12" Stabilized Subgrade | 11,531 | S.Y. | \$1.75 | \$20,179.25 |
| | 8" Limerock Base | 9,194 | S.Y. | \$6.75 | \$62,059.50 |
| 1 | 1-1/2" Type III Asphalt 2 lifts | 9,194 | S.Y. | \$5.60 | \$51,486.40 |
| 2 | Prime Coat | 9,194 | S.Y. | \$0.35 | \$3,217.90 |
| 3 | Type "D" Curb | 118 | L.F. | \$6.50 | \$767.00 |
| 4 | Type "F" Curb | 6,111 | L.F. | \$8.65 | \$52,860.15 |
| 5 | Spillout Curb | 168 | L.F. | \$12.00 | \$2,016.00 |
| 6 | Valley Gutter | 560 | L.F. | \$13.50 | \$7,560.00 |
| 7 | Speed Limit Signs Decorative post R2-1 20 mph | 4 | EA | \$2,650.00 | \$10,600.00 |
| 8 | 24" Stop Sign and Decorative Post w/Street sign | 2 | EA | \$2,850.00 | \$5,700.00 |
| 9 | Decorative Stop / Street Sign Combo | 2 | EA | \$3,000.00 | \$6,000.00 |
| 10 | Decorative Stop/Street/R Turn Only Sign | 2 | EA | \$3,000.00 | \$6,000.00 |
| 11 | 24" Stop Bars (Paint) | 6 | EA | \$35.00 | \$210.00 |
| 12 | 4" White Stripe (Paint) | 120 | L.F. | \$0.25 | \$30.00 |
| 13 | 4" Double Yellow Stripe (Paint) | 2,850 | L.F. | \$0.40 | \$1,140.00 |
| 14 | 6" Solid White Stripe (Paint) | 480 | L.F. | \$0.30 | \$144.00 |
| 15 | 18" Solid White Stripe (Paint) | 315 | L.F. | \$1.15 | \$362.25 |
| 16 | White Directional Arrow (Paint) | 2 | EA | \$25.00 | \$50.00 |
| TOTAL | | | | | \$230,382.45 |

SUMTER COUNTY, FLORIDA
GLORIA HAYWARD, CLERK OF CIRCUIT COURT

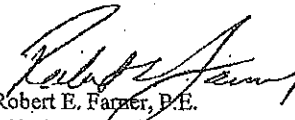
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ATTACHMENT "1"

CERTIFICATION OF CONSTRUCTION COSTS

THIS CERTIFICATION is hereby executed this 25th day of March, 2004 by Robert E. Farner as engineer of record for site development and utility work related to the Villages Financial Center who hereby CERTIFIES that the accounting costs attached hereto as *Exhibit "A"* constitute all of the costs associated with the construction of the roads and drainage systems within the Villages Financial Center.


Robert E. Farner, P.E.
1507 Buenos Aires Blvd.
The Villages, Florida 32159
Certification #: 31950

SUNTER COUNTY, FLORIDA
GLORIA HAYWARD, CLERK OF CIRCUIT COURT

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